

## **REMARKS**

### **I. INTRODUCTION**

Claims 1, 23 and 27 have been amended to more particularly claim and point out the subject matter of the present invention. Claims 66 - 69 have been added. Thus, claims 1, 18, 20, 23-27, 66 - 69 are now pending in the present application. No new matter has been added. In view of the following remarks, it is respectfully submitted that all of the presently pending claims are allowable.

### **II. THE 35 U.S.C. § 103(a) REJECTIONS SHOULD BE WITHDRAWN**

The Examiner has rejected claims 1, 18, 23 and 24 under 35 U.S.C. § 103(a) as obvious over the U.S. Patent No. 5,772,525 to Klein (hereinafter "Klein") in view of U.S. Patent No. 1,677,099 to Harness (hereinafter "Harness"). Klein discloses a golf putter comprising a putter head and an elongated shaft having an enlarged diameter gripping end. (*Klein*, Abstract). The enlarged diameter of the gripping end prevents use of excessive wrist action in the putting stroke. In addition, the shaft and the head are connected in such a way as to facilitate alignment of the putter with a golf ball since the primary longitudinal axis of the shaft passes through the center of the golf ball. (*Id.*). The head is connected to the shaft by means of a hosel 16. (*Id.*, col. 6, lines 64-66). The hosel 16 includes "an inverted frusto-conical portion 30 from which a spigot 32 projects defining an upwardly facing shoulder 34" is inserted into the hosel end length portion 20 of the shaft. (*Id.*, col. 7, lines 6-9).

Harness discloses a golf club, more particularly a handle that fits "snuggly" into a players hands and simultaneously provides a firm grip. (*Harness*, page 1, lines 3-6). The club consists of a shaft and a head, which is "fastened preferably by shrinking on" and "reinforced by winding around it a coil of cat-gut." (*Id.*, page 1, lines 24-33).

Independent claim 1 of the present invention recites a putter which includes “an alignment feature of the putter permitting assembly of the head onto the hosel only in an operable position wherein a centerline of the shaft and the striking face of the head have at least one point in common.” The Examiner states that Klein discloses an alignment feature by citing to Figs. 4-8, Col. 2, lines 52-57, and Col. 7, lines 19-49 of Klein. (*Office Action*, page 2). Klein clearly discloses that “the hosel is constructed to position the putter shaft in relation to the head such that the primary longitudinal axis of the putter shaft passes through the small central area of the golf ball.” (*Klein*, col. 7, lines 51-55 (reference numerals omitted). *See also*, Abstract. Klein clearly shows this feature in Figs. 4 and 5.

In contrast, amended claim 1 recites the alignment feature which allows for assembly of the head onto the hosel “only in an operable position wherein a centerline of the shaft and the striking face of the head have at least one point in common.” The specification of the present invention states “[a]s shown in Fig. 2, the centerline 123 of the shaft 102 passes directly through point A.” *Specification*, ¶ [0040]. Point A is defined as the center point of the striking face. *Id.* at ¶ [0016]. Thus, claim 1 has been amended to clearly point out that the alignment feature allows for the putter of the current invention to be assembled only in an operable position where the centerline of the shaft runs through the striking face of the putter. This is completely different from Klein where the centerline of the shaft runs through the ball, *i.e.*, in front of the striking face of the putter.

Thus, it is respectfully submitted that Klein and Harness, taken alone or in combination, neither teach or suggest a putter which includes “an alignment feature of the putter permitting assembly of the head onto the hosel only in an operable position wherein a centerline of the shaft and the striking face of the head have at least one point in common” as recited in claim 1. Applicant respectfully submits that independent claim 1, as well as claim 18, which depends from claim 1, are allowable for at least the above stated reasons.

Applicant respectfully submits that independent claim 23 contains similar limitations as claim 1. In particular claim 23 recites a putter system for assisting a golfer in completing a putt, the system including “an alignment feature adapted to precisely align the head with the shaft, wherein the alignment feature permits assembly of the head onto the hosel only in

an operable position wherein a centerline of the shaft and the striking face of the head have at least one point in common." Thus for at least the reasons described above with respect to claim 1, claim 23 is also allowable. Furthermore, it is respectfully submitted that claim 24 is allowable because it depends from claim 23.

The Examiner has also rejected claim 20 and 25-27 under 35 U.S.C. § 103(a) as obvious over Klein and Harness in view of U.S. Patent No. 3,075,768 to Karns (hereinafter "Karns") in further view of U.S. Patent No. 3,679,207 to Florian (hereinafter "Florian") and in further view of U.S. Patent No. 5,489,097 to Simmons (hereinafter "Simmons"). The Examiner cites these references in addition to Klein and Harness because they disclose varying systems and devices of establishing a proper weight balance in the golf club or putter. (*Office Action*, page 4). However, Karns, Florian, and Simmons fail to cure the deficiencies of Klein and Harness because they do not teach an alignment feature of the putter which permits assembly of the head onto the hosel only in an operable position wherein a centerline of the shaft and the striking face of the head have at least one point in common. Thus, it is respectfully submitted that neither Klein, Harness, Karns, Florian, or Simmons, taken alone or in combination, anticipate or render obvious a putter having an alignment feature which permits assembly of the head onto the hosel "only in an operable position wherein a centerline of the shaft and the striking face of the head have at least one point in common" as recited in claims 1 and 23. Therefore, it is respectfully submitted that claim 20 is allowable because it depends from claim 1 and claims 25-27 are also allowable because they depend from claim 23.

### III. Newly Added Independent Claim 67

The applicant has independent claim 67 which includes the same recitations as claim 1, except the applicant has further clarified the alignment feature in a slightly different manner than in amended independent claim 1. In rejecting the originally submitted claim 1, the Examiner states that Klein discloses an alignment feature by citing to Figs. 4-8, Col. 2, lines 52-57, and Col. 7, lines 19-49 of Klein. (*Office Action*, page 2). The applicant respectfully submits that Klein is directed to proper alignment of the golf putter with the ball, and not alignment of the components of the golf putter during assembly of the putter. Klein states that "the cooperative interrelationships between putter shafts, heads, and grips . . . facilitate alignment at impact of the sweet spot of the ball-striking surface with the ball." (*Klein*, Col. 2, lines 52-57). Figs. 4-8 further illustrate this feature of Klein. Klein also teaches how to properly align the putter with the ball: the golfer must position the ball 36 so that it is contiguous to the ball-striking surface 24 of the head and the sighting edge surface 44 appears to be tangential to the innermost point 46 of the ball's periphery. Once these steps are accomplished "the ball will be aligned with the sweet spot 38 of the striking surface 24." (*Klein*, Col. 2, lines 41-42).

However, the claimed alignment feature of the present invention is directed to the proper assembly of the putter. As explained in the specification:

Alignment feature 118 insures that every time the head 104 is connected to hosel-shaft-grip portion of putter 100, the orientation of the head 104 is consistent with the orientation of the various features of the grip 110, the shaft 102 and hosel 108 that assist the player in aligning the head 104 with the ball. The assembly of the putter 100 is therefore simplified, since the components cannot be assembled incorrectly, and no additional steps for checking the alignment of the head 104 and hosel-shaft-grip are required.

*Specification*, ¶ [0043]

Thus, the alignment feature of claim 67 has been drafted to more particularly point out and distinctly claim this assembly functionality of the alignment feature. Specifically, the insertion portion of the hosel is shaped in such a manner that it can only be inserted into the receiving hole of the head in a manner which provides for correct assembly. Claim 67 recites "an

alignment feature including a shaped portion of the hosel to be inserted into a complementing shaped opening of the head so that the head is not rotated into an unaligned position during assembly.” One of the examples of the alignment feature 118 includes a unidirectional shape of the bottom portion of the hosel 108, cooperating with a correspondingly shaped recess formed in head 104 (e.g., the bottom portion of hosel section 108 may have an oval cross section, fitting in an oval opening of the head 104). *Id.* at ¶ [0037]. Thus, the alignment feature ensures that the head 104 will be in the correct orientation relative to the shaft 102 after the components of the putter 100 are assembled.

As discussed above, Klein does not teach an alignment feature in its golf putter that can ensure proper alignment of the putter components during assembly. The head disclosed in Klein is mounted to the shaft by means of a spigot connected to the head’s hosel. (*Klein*, Col. 2, lines 41-42). The spigot is peg having a substantially round cross section, thus its shape cannot be used to align the head with the shaft because the head would rotate around the axis of the shaft due to the spigot’s round cross-sectional shape. *Harness* suffers from the same deficiency – it also fails to disclose a golf putter having an alignment feature. *Harness* only suggests one method of fastening the head to the shaft, which is shrinking. (*Harness*, page 1, lines 24-33). Thus, in both of these references separate alignment devices such as a laser alignment device needs to be used during assembly to ensure the head is aligned correctly with the shaft. No such alignment device is needed for the present invention because of the alignment feature as recited in newly added independent claim 67.

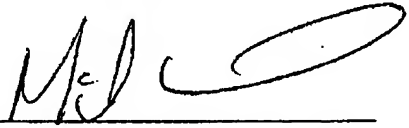
Thus, applicant respectfully submits that newly added independent claim 67 is allowable for the reasons discussed above.

**CONCLUSION**

In light of the foregoing, Applicant respectfully submits that all of the now pending claims are in condition for allowance. All issues raised by the Examiner having been addressed, an early and favorable action on the merits is earnestly solicited.

Respectfully submitted,

Dated: May 10, 2005

By:   
Michael J. Marcin (Reg. No. 48,198)

Fay Kaplun & Marcin, LLP  
150 Broadway, Suite 702  
New York, NY 10038  
Tel: (212) 619-6000  
Fax: (212) 208-6819